

## **The Federalist Papers:** Modern English Edition Two/copyright 2006/Mary E Webster

### **Number 10:** Large Republic: Best Control of Effects of Faction

A well-constructed Union is the best way to control the violence of faction. Faction is a dangerous vice that occurs in popular governments. We welcome a plan that provides a cure for faction without violating the principles of liberty.

Unstable and unjust government agencies and departments kill popular governments. Opponents of the Constitution use this excuse in their most specious arguments.

The American State constitutions improve the popular governing models, both ancient and modern. They were expected to remove the danger, but they don't.

Our most virtuous citizens, men devoted to personal liberty, complain that our governments are too unstable. They say rival parties disregard the public good. An overbearing majority too often make decisions that should be based on justice and the rights of the minority party.

We may wish that these complaints had no foundation, but the evidence shows that they are in some degree true. The government has been erroneously blamed for some of our problems. However, other causes, alone, don't account for our worst misfortunes. All across the continent, people worry about the nation's debt and they fear of loss of their personal rights. This is largely the effect of distrusting the unjust, factious spirit that is part of our government administration.

#### **Faction Defined:**

##### **Group Acts Against Community Interests**

2 A faction is a group of citizens, either a majority or minority, whose actions are motivated by a passion or interest adverse to the rights of other citizens or to the permanent and aggregate interests of the community.

#### **Faction Cure:**

##### **Remove Causes or Control Effect**

3 Faction can be cured two ways: remove its causes or control its effects.

##### **Remove Causes**

4 To remove its causes either (1) liberty must be destroyed or (2) every citizen must have the same opinions, passions, and interests.

5 The first remedy is far worse than the disease. Liberty is to faction what air is to fire. Without the nourishment of liberty, faction instantly dies. But abolishing liberty because it nourishes faction is as silly as the wish to annihilate air because it gives fire its destructive energy.

6 The second cure is as impractical as the first is unwise. But men's abilities are diverse, creating yet another barrier to their agreeing on common interests.

As long as a connection between reasoning and self-love exists, opinions and passions will influence each other. And passions will sway opinions.

Property rights originate from the people. But men's abilities are diverse, creating an insurmountable obstacle to equality of acquisitions. Protection of these abilities is government's primary function. Because government protects different and unequal abilities to acquire property, the people end up owning properties of varying value and kind. This diversity of property ownership divides society into groups with different interests and concerns.

**Faction: Inherent in Human Nature**

7 Therefore, faction is part of the very nature of man. People have different opinions about religion and government. Ambitious leaders, human passions and diverse interests divide mankind into parties and inflame animosities. People tend to oppress each other, not cooperate for their common good. Frivolous differences become excuses to kindle unfriendly passions and excite violent conflicts.

The most common source of factions is the unequal distribution of property. Property owners and people without property have different interests. Likewise, creditors and debtors. Civilized nations have property owners, manufacturers, merchants, bankers and many less defined occupations. This creates different groups of people with different views and interests. Regulating these conflicting interests is the principal task of modern legislation. Therefore, factions are a part of the ordinary operations of government.

**Legislators:****Advocates and Parties to Causes**

8 No man is allowed to be a judge in his own cause. His interest would bias his judgment and probably corrupt his integrity.

For even greater reasons, a group of men are unfit to be both judges and litigants at the same time. Yet legislative acts are basically judicial determinations, not about the rights of individuals, but about the rights of groups of citizens. Yet legislators are both advocates and parties to the causes they determine.

If a proposed law concerns private debts, creditors and debtors are the parties. Justice should balance between them. Yet legislators, who are both creditors and debtors, are the judges. The most numerous group or, in other words, the most powerful faction will prevail.

Should foreign manufacturers be restricted to support domestic manufacturers? Landowners would say no; manufacturers would say yes. Neither would probably use justice and the public good as their only guide.

Determining the amount of taxes on different types of property requires impartiality. Yet no legislative act has a greater opportunity and temptation for the majority party to trample on the rules of justice. With every dollar they overburden the minority party, they save a dollar in their own pockets.

9 It is naïve to say that enlightened statesmen will adjust the different interests, making them all subservient to the public good. First, enlightened statesmen will not always be at the helm. Second, we must consider indirect and future effects.

These less obvious consequences will rarely prevail over the immediate interest one party may have in disregarding the rights of another or the good of the whole.

**Effect of Faction Must Be Controlled**

10 Obviously, the causes of faction cannot be removed. Its effects must be controlled.

**Majority Faction:****Downside of Popular Government**

11 If a faction isn't a majority, the majority can defeat its sinister views.

The minority faction may clog the government and agitate society, but under the Constitution, it can't carry out its plans and hide its violence.

When a faction is a majority, it can sacrifice public good and the rights of other citizens to their passions and interests.

We want to secure the public good and private rights against the danger of a majority faction. At the same time, we want to preserve the popular government form. Our great task is to rescue the reputation of popular government so that it will be valued and adopted by mankind.

### **Prevent Majority Faction's Passions or Actions**

12 To control the effects of a majority faction, either (1) the negative passions and interests in a majority faction must be prevented or (2) the majority faction must be unable to carry out plans of oppression.

If desire and opportunity coincide, neither moral nor religious values will control oppressive behavior. Morality doesn't control the injustice and violence of individuals.

And its ability to control bad behavior decreases as the number of people involved increases. In other words, as the need for morality increases, its effectiveness decreases.

### **Pure Democracy: Magnifies Violence of Factions**

13 In a pure democracy, citizens assemble and administer the government in person. Democracy doesn't cure the harm caused by faction. Usually, the majority will feel a common passion. There is nothing to stop the desire to sacrifice the weaker party or obnoxious individual. Therefore, pure democracies are always turbulent. They don't secure personal or property rights. They have short lives and violent deaths. Some political theorists think that after people become politically equal, their possessions, their opinions, and their passions will also be equal. This doesn't happen.

### **Republic vs. Pure Democracy**

14 A republic—a government administered by representatives of the people—promises the cure we are seeking. We will examine the differences between a republic and a pure democracy. This will show both the cure and why the Union makes it more effective.

15 A republic and a democracy differ in two ways: First, in a republic, the citizens elect a small number of governmental delegates. Second, a republic can have more citizens living across a larger country.

16 Representation refines public views by passing them through the delegates. The representatives' wisdom may see their country's true interests. Their patriotism and love of justice will make them less likely to sacrifice their country. Representatives of the people may do a better job of looking out for the public good than if all the people gathered and spoke for themselves. On the other hand, the opposite effect may happen. Men with local prejudices or sinister plans may use intrigue or corruption to be elected, and then betray the interests of the people.

Will small or large republics elect better guardians of the public good? For two reasons, large republics do.

### **Representative/Constituent Ratio**

17 First, in a small republic there still must be enough representatives to guard against the plots of a few. In a large republic, the number must be limited to guard against the confusion of a multitude. The proportion of representatives to their constituents is larger in the small republic. If the proportion of qualified people is the same in a large as a small republic, the large republic will have more options and a greater probability of a good choice.

18 In a large republic, each representative is chosen by a greater number of citizens. It will be more difficult for unworthy candidates to successfully win through bad or mean election practices. And with wide voter freedom, elections will more likely center on men who possess the most merit and highest character.

19 When a representative has too many constituents, it will be difficult for him to know all the local issues. When a representative has too few constituents, his worry about local issues will make him unfit to understand and pursue national issues. The federal Constitution is a good compromise. The national issues are referred to the national government; local issues are referred to State legislatures.

### **Large Area: Conspiracy Harder**

20 Second, a republic can have more citizens and a larger territory than a democracy. This makes raising a damaging amount of support for a faction more difficult.

A small society has fewer people, parties and interests. In a small community, it is easy for a faction to become a majority and execute oppressive plans. A large society has a variety of people, parties and interests. It is less likely that a majority will invade the rights of other citizens. Even if a common motive exists, it will be more difficult for those holding it to discover their combined strength and act in unison with each other. When unjust or dishonorable purposes exist, communication is limited by distrust in proportion to the number whose concurrence is necessary.

#### **Union as Control of Effects of Faction**

21 Hence, a republic controls the effects of faction better than a democracy. And a large republic controls it better than a small republic. It may have more enlightened, virtuous representatives who are above local prejudices and schemes of injustice. There will be a greater variety of parties, so one party can't outnumber and oppress the rest. An increased variety of parties increases the Union's security. A large republic has more obstacles to the secret wishes of an unjust majority.

#### **Faction Passions: Effect on Union**

22 Factional leaders may kindle a flame within their States, while not able to spread a conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy. But the variety of sects dispersed over the entire country secures the national councils against this danger. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less able to pervade the whole Union, just like a malady is more likely to taint a specific county or district than an entire State.

#### **Good Effects of Size, Structure of Government**

23 In the size and proper structure, therefore, we see that our Union cures the most common diseases of republican government. And according to the degree of pride we feel in being a republic, we will cherish and support the character of federalists.

#### **PUBLIUS**

#### **Questions**

1. What are some of the conditions of government Madison describes early in Federalist 10, and what particularly does he see as the biggest problem?
2. Define faction:
3. What two ways can faction be cured? What does the author mean in the phrase, "liberty is to faction, what air is to fire"?
4. What is the most common source of faction?
5. What does Publius suggest happens when factions become involved in legislating?
6. Publius states a republican government as a cure to faction. What is the difference between a republic and pure democracy?
7. Explain two ways large republics are better than small republics.